

3.3 Cultural Resources

The following cultural resources analysis is based on the *Archaeological Investigations at the Peaceful Valley Ranch Project* report prepared by Brian F. Smith and Associates (BFSA), dated August 26, 2003 and updated June 2006. An additional survey was performed on September 14, 2004 to assess potential offsite impacts associated with intersection improvements required by the project. The technical report and additional survey results are in Appendix E of this EIR.

3.3.1 Existing Conditions

Cultural Setting

The cultures identified in the general vicinity of the project consist of the possible Paleo-Indian manifestation of the San Dieguito Complex, the Archaic and Early Milling Stone horizons represented by the La Jolla Complex, and the Late Prehistoric Kumeyaay culture. A brief discussion of the cultural elements in the project area is provided in the Appendix E of this EIR.

The presence and significance of existing cultural resources associated with the Peaceful Valley Ranch project was determined using the methodologies outlined below.

Investigation Methodology and Results

Methodologies for identifying existing conditions include a review of institutional records and reports concerning the project area and immediate vicinity, a sacred lands check with the Native American Heritage Commission, a field survey of the 181.31-acre site and offsite road improvements, surface mapping, artifact collection, and bedrock milling graphic and photographic documentation. The field investigation consisted of a pedestrian survey of north-south parallel transects spaced at ten to fifteen meter intervals. All natural features, such as bedrock outcrops and seasonal drainages, were examined in greater detail for cultural resources. Site record forms (including updates) were prepared for 11 sites (eight identified during the 2004 survey and three identified during the 1988 Cook survey) and were submitted to the San Diego Museum of Man and San Diego State University – South Coastal Information Center (SCIC).

The evaluation of cultural resources was completed in conformance with the County of San Diego Resource Protection Ordinance, Section 21083.2 of the Public Resources Code, and the California Environmental Quality Act (CEQA). Statutory requirements of CEQA (Section 15064.5) were followed in evaluating the significance of the cultural resources.

Records Search Results

According to the records on file at the South Coastal Information Center (SCIC) and the Museum of Man (MOM), there have been 23 cultural resource studies conducted within a one-mile radius of the project site. A total of 60 cultural resources have been documented within one mile of the project site boundary. Three of the previously recorded cultural resources have been identified within the 181.3-acre project site prior to the survey.

Of the 23 previous cultural resource studies within a one-mile radius of the proposed project area, the majority were completed for lot splits and residential development projects. Five of

these studies have been completed for the area immediately east of the project site. Several prehistoric temporary camps and resource processing areas were identified during three of these studies, completed by William Eckhardt (1977) and Richard Carrico (1977 and 1979). An archaeological survey of a small six-acre area, adjacent to the northwestern boundary of the property, was completed by Paul Chace in 1990. Mr. Chace identified three archaeological sites all consisting of bedrock milling features, lithic production waste, lithic tools, and ceramic fragments. In 1980, RECON surveyed 4.65 acres adjacent to the southwestern portion of the subject site. Six prehistoric archaeological sites, consisting primarily of isolated bedrock-milling features, were identified.

Of the 60 cultural resources that have been identified within one mile of the study area, the majority are prehistoric archaeological sites; however, three are historic archaeological sites, and the remaining eight are isolated, prehistoric artifacts; refer to Appendix E. A large portion of the prehistoric sites are located along the unnamed intermittent streams that flow south into Jamul Creek. Many of the prehistoric sites contain only bedrock milling features and/or groundstone. Another of the prehistoric sites contains bedrock milling features with lithic tools and lithic production waste. The remaining prehistoric sites comprise four sites that are large habitation sites with middens; four sites that contain rock features, lithic production waste, and bedrock milling features; and two sites that contain ceramics, lithic production waste, and bedrock milling features. The character and distribution of these prehistoric site types indicates that this area of Jamul was utilized during the Late Prehistoric period for semi-permanent settlement, resource procurement, and temporary camps. No lithic quarry sites have been identified within one mile of the project area.

Archaeological records searches conducted at the SCIC at San Diego State University and at the San Diego Museum of Man prior to the survey indicated that five prehistoric archaeological sites are located near the western boundaries of the property. In 2000, SDI-11,410, a Late Prehistoric Village with eight loci was recorded. Site SDI-11,410 is located immediately west of SR-94 and the project site. During the recordation, it was determined that SDI-7,966 is located within the boundaries of SDI-11,410, and was recorded as Locus E. Bedrock milling features, a large quantity of lithic production waste, chert and quartz artifacts, rock art, and groundstone represent the artifacts and features identified at this site. In addition, sites SDI-11,790, SDI-11,791, and SDI-11,792, consisting solely of bedrock milling features, were identified just north of the northwestern corner of the subject site.

Records searches conducted at the SCIC and at the San Diego Museum of Man prior to the survey also indicated three cultural resources had previously been recorded within the project boundaries. John R. Cook of ASM Affiliates, Inc., surveyed the property in 1988 and identified three prehistoric archaeological sites. These sites were recorded as SDI-11,050 Locus A, SDI-11,051, and SDI-11,052. Site SDI-11,050 Locus A, a Late Prehistoric habitation site consists of an extensive surface and subsurface scatter of lithic production waste, lithic tools, ground stone, and a midden, and covers an area encompassing 16,000 square meters. The site is within an existing onsite open space easement. In 1988, Mr. Cook recommended that Locus A (the portion of the site containing the midden) be preserved within an open space easement. Site SDI-11,051 was recorded as a resource-processing area consisting of metavolcanic and quartz lithic production waste, lithic tools, and three groundstone fragments. Site SDI-11,052 was identified as four bedrock milling features and a

small surface scatter of lithic production waste. Sites SDI-11,051 and SDI-11,052 are not considered significant cultural resources.

Survey Results

The purpose of the cultural resources technical study was to relocate previously recorded resources (completed by ASM Affiliates, Inc. in 1988) and identify any new sites. A total of eleven cultural resources were encountered during the survey of the Peaceful Valley Ranch site. Of these identified resources, none are historic and eleven are prehistoric. Three of these sites had been previously recorded (SDI 11,050 Locus A; SDI 11,051; and SDI 11,052). The survey also discovered eight new sites (SDI 16,671; SDI 16,672; SDI 16,673; SDI 16,674; SDI 16,675; SDI 16,676; and SDI 16,677) and no isolates. A description of sites is included in Appendix E.

Site SDI-11,050 Locus A, a Late Prehistoric habitation site, consists of an extensive surface and subsurface scatter of lithic production waste, lithic tools, ground stone, and a midden, and covers an area encompassing 16,000 square meters. The ASM study recommended that Locus A (the portion of the site containing the midden) be preserved within an open space easement. An open space easement was recorded over the site as part of an earlier subdivision. Site SDI-11,051 was recorded as a resource-processing area consisting of metavolcanic and quartz lithic production waste, lithic tools, and three groundstone fragments. Site SDI-11,052 was identified as four bedrock milling features and a small surface scatter of lithic production waste.

The eight cultural resources within the project boundaries that were evaluated for significance during the updated survey are Sites SDI-16,671, SDI-16,672, SDI-16,673, SDI-16,674, SDI-16,675, SDI-16,676, SDI-16,677 and SDI-16,678. The majority of sites, excluding Sites SDI-16,672 and SDI-16,675, are located on the raised terraces and knolls that have good views of the surrounding drainage and valley bottoms, refer to Figure 1-3 (Aerial Photograph). These sites were identified as Late Prehistoric resource processing areas and vary in size from small bedrock milling stations to larger sites containing lithic tools, lithic production waste, groundstone, and bedrock milling features. No middens or other evidence of long-term occupation were identified during the evaluation of these sites.

Site SDI-16,671 contains two bedrock milling features, a rock feature, and a small quantity of lithic production waste and groundstone. Site SDI-16,672 is an isolated bedrock milling feature, and SDI-16,673 consists of lithic production waste, lithic tools, groundstone and a single bedrock milling feature. Site SDI-16,674 is comprised of two bedrock milling features, groundstone, lithic production waste, and lithic tools. Site SDI-16,675 is a small site that contains only four artifacts (two flakes and two precision tools). Site SDI-16,676 contains lithic production waste, lithic tools, and groundstone. Site SDI-16,677 consists of an isolated bedrock milling feature and SDI-16,678 consists of a small quantity of lithic production waste, groundstone, and a few tools. These sites are typical of the Late Prehistoric resource processing areas found in the inland foothills.

3.3.2 Guidelines for the Determination of Significance

Significance guidelines to define significant impacts to cultural resources have been established. These guidelines have been established in conjunction with Appendix G of the

CEQA Guidelines adopted for historical significance of a resource and the guidelines set forth in the San Diego County Resource Protection Ordinance (RPO) to ensure the guidelines are accurate and effective tools in determining impacts to cultural resources. These guidelines have been included within these regulations because they have proven to be effective screening tools in determining impacts to cultural resources. These guidelines are effective because they cover a range of possible scenarios where cultural resources could be affected by the proposed project. Project impacts to cultural resources would be considered potentially significant if:

The project as designed:

1. Causes a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines; or,
2. Causes a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines; or,
3. Disturbs any human remains, including those interred outside of formal cemeteries; or,
4. Causes a substantial adverse change in the significance of a cultural resource, pursuant to the County of San Diego Resource Protection Ordinance.

Guidelines 1 and 2 are derived directly from CEQA. Sections 21083.2 of the Public Resources Code and 15064.5 of the CEQA Guidelines recommend evaluating historical and archaeological resources to determine whether or not a proposed action would have a significant effect on unique historical or archaeological resources. Guideline 3 is included because human remains must be treated with dignity and respect and CEQA requires consultation with the “Most Likely Descendant” as identified by the Native American Heritage Commission (NAHC) for any project in which human remains have been identified. Guideline 4 was selected because cultural resources are protected under the TPO. Any project that would have an adverse impact (direct, indirect, cumulative) on significant cultural resources as defined by these guidelines would be considered a significant impact.

The County RPO does not allow non-exempt activities or uses damaging to significant prehistoric or historic lands on properties under County jurisdiction. The only exempt activity is scientific investigation. The project is required to be in conformance with applicable County standards related to cultural resources, including the noted RPO criteria on prehistoric and historic sites. Non-compliance would result in a project that is inconsistent with County standards.

Analysis Methodology

A Cultural Resources Study was prepared in accordance with the County’s Archaeological Resource Management Reports (ARMR): Recommended Contents and Format Guidelines (see SHPO Preservation Planning Bulletin No. 4(a) 1898). The cultural analysis is based on the results of the Study. The analysis includes the following information:

A field survey and testing program for archaeological artifacts and features was conducted in accordance with the County of San Diego Archaeological Report Procedures, Resource Protection Ordinance, Section 21083.2 of the Public Resources Code, and the San Diego County CEQA Guidelines.

Cultural resources encountered during the survey were tested for significance (CEQA and RPO) and to define the site boundaries. Testing consisted of shovel test pits and one-by-one meter excavation units to determine the extent, integrity, and constituents of site deposits. The shovel test pits consisted of 30-centimeter by 30-centimeter excavations which proceeded at decimeter levels to subsoil or a culturally sterile horizon. The quantity and placement of shovel tests at each site varied by the abundance and extent of surface artifacts and cultural features, the general morphology of the landform on which the site was located combined with the limitations imposed by bedrock and private property. Collectively, 56 shovel test pits were excavated at the eight sites, with seven at SDI-16,671, three each at SDI-16,672, SDI-16,675, and SDI-16,677, eight at SDI-16,673, ten at SDI-16,674, seventeen at SDI-16,676, and five at SDI-16,678. Qualitative testing of the subsurface cultural material was conducted by excavating a single one-meter square test unit in decimeter levels to subsoil or a culturally sterile soil at SDI-16,671, SDI-16,674, and SDI-16,676. All excavated soils were sifted through 1/8-inch mesh screens. Artifacts recovered in the subsurface excavations were bagged, labeled, and returned to the cultural lab for analysis.

Laboratory methods were in conformance with the generally accepted archaeological procedures. Artifacts collected were categorized as to form, mineralogy, and function. The cataloging process utilized a classification system commonly employed in this region. No radiocarbon dating or other specialized studies were conducted as part of this project.

Direct construction impacts to the resources were assessed and mitigation proposed as appropriate. In addition, indirect impacts to cultural resources as a result of project implementation were also addressed and mitigation proposed as needed.

3.3.3 Analysis of Project Effects and Determination of Significance

Section 15126.4(b)(3) of the *CEQA Guidelines* recommends to public agencies, whenever feasible, to seek to avoid the damaging effects on any cultural resources of an archaeological nature and requires that the following factors be considered and discussed for a project involving such an archaeological site.

An analysis of the sites is provided below along with a determination as to the significance, pursuant to Section 15064.5 of the CEQA Guidelines and the County RPO.

Direct Impacts

Onsite

The eight prehistoric archaeological sites located within the Peaceful Valley Ranch project boundaries were tested for significance according to CEQA (Section 15064.5) criteria. The analysis of the testing results indicates that these sites lack the potential to further answer questions related to understanding the prehistory of the area and thus are not culturally significant resources as defined by CEQA Section 15064.5 criteria and the County of San Diego guidelines. The lack of a significant subsurface deposit or the absence of a subsurface component all together, combined with the exhaustive recording of surface artifacts and bedrock milling features, indicates that these sites are not likely to yield additional information important to understanding the prehistory of San Diego County. Additionally, Sites SDI-16,673, SDI-16,675, SDI-16,676, and SDI-16,678 are located in the area that has for several decades been repeatedly disked for hay cultivation; therefore, the subsurface

deposit at these sites lacks integrity. Since these sites are not important cultural resources, any impacts on the sites resulting from the proposed project would not be significant.

The updated cultural resources study included a review of information pertaining to the three sites. BFSAs personnel re-surveyed SDI-11,050 Locus A, SDI-11,051, and SDI-11,052 and updated the information concerning the condition of these sites; however, no additional testing was conducted at these previously-recorded sites. The three sites were evaluated against significant criteria numbers 2 and 4 listed in Section 3.3.2. Based on these criteria, the updated cultural resources analysis concurred that Site 11,050 Locus A was a significant resource because it contained information associated with past human activities that may provide future information about prehistoric activities. The updated report concurred that this site should remain in within the existing archaeological open space easement. The updated cultural resources report determined that Sites 11,051 and 11,052 were not significant cultural resources based upon the significance criteria. These sites were determined not to have the potential to provide important research value based on the materials identified within the site. Therefore, Sites 11,051 and 11,052 were determined not to be significant.

Impact 3.3.3-1: Direct Impact to Site SDI 11,050 Locus A. The proposed project includes an equestrian facility adjacent to the open space easement. The construction of the proposed equestrian facility would not alter the condition of Site SDI-11,050 Locus A or the existing open space easement. Encroachment into the open space easement area, and thereby on Site SDI-11,050 Locus A, by people and horses from the proposed equestrian facility would be possible without additional protection. Any disturbance to Site SDI-11,050 Locus A within the open space area would be considered a significant impact to the cultural resource site.

Impact 3.3.3-2: Direct Impact to Site SDI 11,050 Locus A. Trenching activities related to geological testing for the proposed project in the fall of 2003 resulted in unintended impacts on a 6.75-square-meter area, located within the proposed open space easement at SDI-11,050 Locus A. The trenching activities did not adversely affect the overall integrity of the site, however, impacts on this site are considered significant. The site will remain within the existing onsite open space easement following project implementation, even with establishment of the equestrian operations.

Impact 3.3.3-3: Direct Impact to Undiscovered Archaeological Resources. The analysis of previous impacts and archaeological information recovered during the cultural analysis of the subject site demonstrated that none of the newly identified sites (Sites SDI-16,671, SDI-16,672, SDI-16,673, SDI-16,674, SDI-16,675, SDI-16,676, SDI-16,677, and SDI-16,678) are significant as defined by CEQA (Section 15064.5) and the County of San Diego guidelines. Although the newly identified sites are not significant cultural resources and impacts from the proposed project will not be significant on those sites, there are numerous archaeological sites in the area surrounding the project, and there is a high potential for locating undiscovered archaeological resources during grading activities. Potential impacts on an undiscovered site could be considered significant if the resources met the significance criteria identified in Section 3.3.2. Therefore, archaeological monitoring of grading activities within the project is recommended. A grading monitoring program is outlined in Section 6.4 of the technical report, included as Appendix E of this EIR.

Offsite

The project includes offsite roadway improvements to the intersection of SR-94 (Campo Road) and Melody Road. The offsite improvements consist of some grading along the east side of SR-94 just north of Melody Road. The majority of the area where improvements will occur has been previously disturbed. BFSa conducted a records search that did not identify any previously recorded sites within the areas where roadway improvements will be required. In addition, the offsite areas were surveyed by BFSa to identify potential impacts to cultural resources; however, no artifacts or archaeological materials were observed.

3.3.4 Cumulative Impact Analysis

The area selected for the cumulative analysis was a one-mile radius from the project site. This radius is typically used in conducting the initial archaeological records searches at the South Coastal Information Center at San Diego State University and at the San Diego Museum of Man to identify cultural resources within the area.

In the Jamul area of San Diego County, there has been an increase of development projects, which in turn has caused an increase in impacts on archaeological sites. The continued destruction of cultural resources in the area intensifies the importance of the sites that remain intact. However, the majority of archaeological sites impacted by the proposed project are not considered to be significant. The only significant site identified within the project boundaries will be left within an open space easement, capped, and preserved. Based on these facts, there will be no adverse cumulative impacts on cultural resources associated with the project.

According to CEQA, the importance of cultural resources comes from the research value and the information that they contain. Therefore, the issue that must be explored in a cumulative analysis is the cumulative loss of that information. For sites considered less than significant, the information is preserved through recordation and test excavations. Significant sites that are placed in open space easements avoid impacts to cultural resources and also preserve the data. Significant sites that are not placed within open space easements preserve the information through recordation, test excavations and data recovery programs that would be presented in reports and filed with the County of San Diego and the South Coastal Information Center. The artifact collections from any potentially significant site would also be curated at the San Diego Archaeological Center and would be available to other archaeologists for further study.

Archaeological sites, CA-SDI-11051, CA-SDI-11052, CA-SDI-16671, CA-SDI-16672, CA-SDI-16673, CA-SDI-16674, CA-SDI-16675, CA-SDI-16676, CA-SDI-16677, and CA-SDI-16678 are not significant cultural resources, due to their limited research potential. These sites do not meet the criteria for listing in the California Register of Historical Resources. However, site CA-SDI-11050 Locus A is a CEQA and RPO significant cultural resource because of its potential to provide important information about scientific research questions. The cumulative projects in the vicinity of the Peaceful Valley Ranch project site are discussed in Section 1.6, "List of Past, Present, and Reasonably Anticipated Future Projects in the Project Area," and are listed in Table 1-4, "Cumulative Projects."

Within the cumulative study area four projects contain significant cultural resources: Jamul Indian Village Casino Development project; Blanco Parcel Map (TPM 20599 RPL1); Jamul

Highlands (TM 5289RPL2); and the Jamul Rural Estate Area - Otay Ranch Village 19. The Jamul Indian Casino Development project proposes a gaming casino, hotel, , parking garage, tribal center, human resources facility, a wastewater treatment plant, and detention basin. Significant cultural resources have been identified and mitigation measures are required. The proposed Blanco Parcel Map project (four single-family lots on 6.2 acres), has a significant cultural resource, Site CA-SDI-11,792, located on the property. The resource is significant under both CEQA and RPO. The Jamul Highlands project, TM 5289RPL2, proposes a 23 single-family residential lot development on 60 acres (including 36 acres of open space) and includes an open space easement for an archeological site. Cultural resources have also been identified on the Jamul Rural Estate Area project site, which is located within the Otay Ranch – Village 19 (Villages 14 and 16 as open space). The remaining cultural resources in the vicinity of the project area have been determined not to be significant cultural resources.

The proposed project's impacts to cultural resources would be mitigated to below a level of significance and potential impacts to cultural resources would be mitigated through placement of significant sites within an open space easement and capping, the curation of all artifacts obtained during testing, and all sites within the project footprint would be recorded. To reduce potential impacts on cultural resources located on sites listed in the cumulative projects table, similar mitigation measures, such as open space easements, preparation of Historic Properties Treatment Plans (HPTP), and/or monitoring during grading activities, would be required to reduce impacts to less than significant. Therefore, because the impacts resulting from the proposed project and those projects within the cumulative impact study area would be mitigated to less than significant, the proposed project would not cumulatively contribute to a significant impact to cultural resources.

3.3.5 Mitigation Measures

The following mitigation measures are proposed to reduce potential impacts on cultural resources to less than significant.

Archaeological Site Capping Plan

3.3.3-1a: An archaeological site capping plan for the protection of site CA-SDI-11,050 Locus A shall be implemented to the satisfaction of the Director of Planning and Land Use. Implementation of the capping plan shall include the following:

- Prior to placing the cap, a letter shall be submitted to the Director of Planning and Land Use stating that a County-certified archaeologist has been retained to supervise and monitor the capping of the archaeological site.
- Capping of the archaeological site shall be conducted by first placing construction fabric (e.g., Amoco) or a minimum 6-inch thick layer of sterile sand over the entire area of the archaeological site to be capped. The sand layer shall be covered with 1.5 to 2.0 feet of clean fill soil. This soil layer shall be “feathered” out to ten feet beyond the defined boundary of the capping area to create a buffer. The capping materials shall be manually stockpiled and spread by hand.

- After capping, the soil layer shall be landscaped with drought-resistant, non-native grasses. The species shall be selected in consultation with a landscape architect. Temporary irrigation, if necessary, shall be an above-ground system, which shall be removed as soon as the vegetation has been established.
- After the cap has been completed and the landscaping installed, the archaeologist shall prepare a final letter report that details how the capping procedure and landscaping were completed.
- After capping, all of the following activities shall be prohibited from taking place on the capped archaeological site: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than open space.

The sole exception to this prohibition is:

The planting of non-native grasses and placement of irrigation, or utility lines in the sterile cap above the archaeological deposits shall be permitted according to a plan approved by the County Director of Planning and Land Use.

Curation

3.3.3-1b: All artifacts obtained during the field survey and significance testing phases of the cultural study shall be curated to exhaust the information potential associated with each site to the satisfaction of the Director of Planning and Land Use. The curation program shall be implemented as follows:

Prior to approval of grading permits or improvement plans, or prior to the recordation of the Final Map, whichever comes first, the applicant shall:

Provide evidence to the satisfaction of the Director of Planning and Land Use that all archaeological materials recovered during the Brian F. Smith archaeological investigations of the property (2006), including all significance testing as well as grading monitoring activities, have been curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

Or

Enter into a Secured Agreement with the County of San Diego, Department of Planning and Land Use, secured by a letter of credit, bond, or cash for 150 percent of the estimated costs associated with the curation of archaeological materials recovered during both the significance testing and data recovery phases, and a 10 percent cash deposit not to exceed \$30,000. A cost estimate shall be submitted and approved by the Director of Planning and Land Use for the cost of curation that includes the processing of the archaeological material by the curation facility, and the archiving of the archaeological material in perpetuity.

Temporary Fencing

3.3.3-1c: A temporary fencing plan for the protection of site CA-SDI-11,050 Locus A during grading operations shall be implemented to the satisfaction of the Director of Planning and Land Use. Implementation of the temporary fencing plan shall include the following:

Prior to approval of grading permits or improvement plans, or on the Final Map, whichever comes first, the applicant shall:

Prepare and implement a temporary fencing plan for the protection of archaeological site CA-SDI-11,050, Locus A, during any grading activities within one hundred feet (100') of easement "C", as shown on Tentative Map 5341Rpl5 dated November 2006. The temporary fencing plan shall be prepared in consultation with a qualified archaeologist, and submitted to the Director of Planning and Land Use for approval. The fenced area shall include a buffer sufficient to protect the archaeological site. The fence shall be installed under the supervision of the qualified archaeologist prior to commencement of grading or brushing and be removed only after grading operations have been completed.

A. Provide Evidence to the Director of Planning and Land Use that the following notes have been placed on the Grading Plan:

1. In the event that construction activities are to take place within 100 feet of easement "C", as shown on Tentative Map 5341Rpl5 dated November 2006, the temporary fencing plan shall be implemented under the supervision of a qualified archaeologist that consists of the following:
 - a. Identify site boundaries.
 - b. Determine adequate buffer for the protection of the site in consultation with the County Archaeologist.
 - c. Upon approval of buffers, install fencing.
 - d. Submit to the Director of Planning and Land Use for approval, a signed and stamped statement from a California Registered Engineer, or licensed surveyor that temporary fences have been installed in all locations of the project where proposed grading or clearing is within 100 feet of the easement "C".

- e. Fencing may be removed after the conclusion of construction activities.

Cultural Impact Fee

3.3.3-2: A Cultural Impact Fee shall be made to the San Diego Archaeological Center to mitigate for the geological testing impact to CA-SDI-11,050, Locus A and shall include the following:

Prior to approval of grading permits or improvement plans, or prior to the recordation of the Final Map, whichever comes first, the applicant shall:

Provide evidence to the satisfaction of the Director of Planning and Land Use that a payment of \$1,000.00 for the curation of orphan collections shall be made to the San Diego Archaeological Center for geological testing that has impacted site, CA-SDI-11,050, Locus A. Evidence shall be in the form of a letter from the San Diego Archaeological Center identifying that payment has been received.

Grading Monitoring and Data Recovery Program

3.3.3-3: A Grading Monitoring and Data Recovery Program shall be implemented to mitigate for the potential presence of undiscovered, buried resources. The Grading Monitoring and Data Recovery Program shall include the following:

Prior to approval of grading or improvement plans, the subdivider shall:

A. Implement a grading monitoring and data recovery program to mitigate potential impacts to undiscovered buried archaeological resources on the Peaceful Valley Project, TM 5341 RPL5/P04-048 to the satisfaction of the Planning Director. This program shall include, but shall not be limited to, the following actions:

1. Provide evidence to the Department of Planning and Land Use that a County certified archaeologist has been contracted to implement a grading monitoring and data recovery program to the satisfaction of the Director of Planning and Land Use (DPLU). A letter from the Project Archaeologist shall be submitted to the Director of Planning and Land Use. The letter shall include the following guidelines:
 - a. The consulting archaeologist shall contract with a Native American monitor to be involved with the grading monitoring program.
 - b. The County certified archaeologist/historian and a Native American monitor shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program.
 - c. The consulting archaeologist shall monitor all areas identified for development.
 - d. An adequate number of monitors (archaeological/historical/Native American) shall be present to ensure that all earth moving

activities area are observed and shall be onsite during all grading activities.

- e. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Native American monitor shall be onsite full-time to perform full-time monitoring as determined by the Principal Investigator of the excavations. The frequency of inspections will depend on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of the inspections will be determined by the Principal Investigator and the Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Principal Investigator.
- f. Isolates and clearly non-significant deposits will be minimally documented in the field and the monitored grading can proceed.
- g. In the event that previously unidentified potentially significant cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The archaeologist shall contact the County Archaeologist at the time of discovery. The archaeologist, in consultation with the County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the County Archaeologist, then carried out using professional archaeological methods.
- h. If any human bones are discovered, the Principal Investigator shall contact the County Coroner. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains.
- i. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The Principal Investigator shall determine the amount of material to be recovered for an adequate sample for analysis.
- j. In the event that previously unidentified cultural resources are discovered, all cultural material collected during the grading monitoring program and all previous archaeological studies shall

be processed and curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

- k. In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the Director of Planning and Land Use prior to the issuance of any building permits. The report will include Department of Parks and Recreation Primary and Archaeological Site forms.
 - l. In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the consulting archaeologist that the grading monitoring activities have been completed.
- B. Provide Evidence to the Director of Planning and Land Use that the following notes have been placed on the Grading Plan:
- 1. The County-certified archaeologist/historian and Native American monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the monitoring program.
 - 2. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Native American monitor(s) shall be onsite full-time to perform full-time monitoring as determined by the Principal Investigator of the excavations. The frequency of inspections will depend on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Principal Investigator in consultation with the Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Principal Investigator.
 - 3. In the event that previously unidentified potentially significant cultural resources are discovered, the archaeological monitors shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow evaluation of potentially significant cultural resources. The Principal Investigator shall contact the County Archaeologist at the time of discovery. The Principal Investigator, in consultation with the County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist

must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the County Archaeologist, then carried out using professional archaeological methods.

4. The consulting archaeologist shall monitor all areas identified for development.
5. If any human bones are discovered, the Principal Investigator shall contact the County Coroner. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains.
6. Prior to rough grading inspection sign-off, provide evidence that the field grading monitoring activities have been completed to the satisfaction of the Director of Planning and Land Use. Evidence shall be in the form of a letter from the Principal Investigator.
7. Prior to Final Grading Release, submit to the satisfaction of the Director of Planning and Land Use, a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program. The report shall also include the following:
 - a. Department of Parks and Recreation Primary and Archaeological Site forms.
 - b. Evidence that all cultural materials collected during the grading monitoring program has been curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriated curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the Principal Investigator that the grading monitoring activities have been completed.

Or

Enter into a Secured Agreement with the County of San Diego, Department of Planning and Land Use, secured by a letter of credit, bond, or cash for 150 percent of the estimated costs

associated with the preparation of the Final Report that document the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program, and a 10 Percent cash deposit not to exceed \$30,000. A cost estimate shall be submitted and approved by the Director of Planning and Land Use for the cost of preparing the Final Grading Monitoring that includes artifact analysis, and specialized studies such as lithics analysis, ceramics analysis, faunal analysis, floral analysis, assemblage analysis, and radiocarbon dating as determined by the Principal Investigator in consultation with County Staff Archaeologist.

C. Prior to recordation of the Final Map, the applicant shall:

1. Complete and submit a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program to the satisfaction of the Director of Planning and Land Use. The report shall also include the following:
 - a. Department of Parks and Recreation Primary and Archaeological Site Forms.
 - b. Evidence that all cultural material collected during the grading monitoring program has been curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the Principal Investigator that the grading monitoring activities have been completed.

Or

Enter into a Secured Agreement with the County of San Diego, Department of Planning and Land Use, secured by a letter of credit, bond, or cash for 150 percent of the estimated costs associated with the preparation of the Final Report that document the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program, and a 10 percent cash deposit not to exceed \$30,000. A cost estimate shall be submitted and approved by the Director of Planning and Land Use for the cost of preparing the Final Grading Monitoring that includes artifact analysis, and specialized studies such as lithics analysis, ceramics

analysis, faunal analysis, floral analysis, assemblage analysis, and radiocarbon dating as determined by the Principal Investigator in consultation with County Staff Archaeologist.

3.3.6 Conclusions

Mitigation Measures 3.3.3-1a to 3.3.3-1c would reduce potential impacts associated with Impact 3.3.3-1, which could result from the proposed equestrian use of the subject property. To properly preserve the integrity of the site and to minimize potential impacts on cultural resources, the applicant would be required to cap the site and landscape the subject area with plant material. The archaeological site-capping procedures shall be consistent with those specified in Mitigation Measures 3.3.3-1a. During grading, temporary fencing will be installed around the archaeological easement and an archaeological monitor will be present to observe grading activities that occur within 100 feet of the easement. With implementation of this mitigation measure, impacts would be reduced to less than significant.

Mitigation Measure 3.3.3-2 would reduce impacts associated with Impact 3.3.3-2, which comprises previous impacts on the site (SDI-11,050, Locus A) as a result of trenching activities within the existing open space easement. To mitigate impacts on the site, the developer will pay a fee of \$1,000.00 to the San Diego Archaeological Center (estimated to be the cost to excavate the area of impact) for the curation of orphan collections. This fee will serve as a contribution to support the long-term ongoing investigation and preservation of cultural resources in San Diego County. With implementation of this mitigation measure, potential impacts on cultural resources would be reduced to less than significant.

Mitigation Measures 3.3.3-3 would reduce impacts associated with Impact 3.3.3-3, which could result from impacts on undiscovered archaeological resources. To mitigate impacts if previously undiscovered archeological resources are discovered, the developer would contract with a County certified archaeologist to implement a grading, monitoring and data recovery program. Monitoring would help reduce the damage to archeological sites discovered during grading that might not otherwise be recognized. Monitoring would also help ensure existing resources are not accidentally disturbed. With implementation of this mitigation measure, potential impacts on cultural resources would be reduced to less than significant.

Significant cumulative impacts resulting from the proposed project and projects identified within the cumulative impact study area would be mitigated through the placement of cultural resources within open space easements, capping, data recovery, curation, and/or reporting. All impacts would be reduced to less than significant through mitigation. Therefore, as with the other projects considered, the proposed project would not cumulatively contribute to a significant impact on cultural resources.